

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Chaim Lowenstein,

Plaintiff,

CIVIL NO.: 10-CV-02857-SRN-AJB

v.

Tom Kane, Jr. and
Dietz-Kane & Associates Insurance
Agency, Inc.,

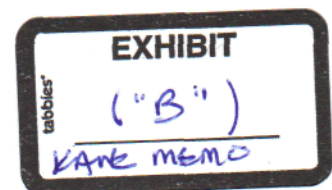
**AFFIDAVIT OF
THOMAS J. OKONESKI**

Defendants.

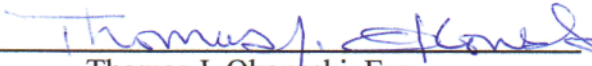
STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY).

I, Thomas J. Okoneski, being first duly sworn, states as follows:

1. I am an attorney licensed to practice law in the State of Minnesota and admitted before this Court. This Affidavit is based upon my personal knowledge.
2. Attached hereto as Exhibit B is a true and correct copy of the transcript from Plaintiff's deposition of Tom Kane, Jr. in the above entitled action, along with the exhibits thereto.
3. I asked Peter Nikolai, Esq., an experienced intellectual property attorney with the firm Nikolai & Mesereau, P.A. located in Minneapolis, MN to research the status of the websites referenced in Plaintiff's Complaint. Mr. Nikolai reported that none of the websites referenced in Plaintiff's Complaint are active and all are available for purchase.



FURTHER YOUR AFFIANT SAYETH NAUGHT.


Thomas J. Okoneski, Esq.

Subscribed and sworn to before me this
19th day of September, 2010.


Notary Public

